June Term 1844.

I am your loving friend. Nicholas - March 25th - 1835 -
To Mr. Caleb Clarke, Tenant in possession of the premises or some part thereof -

A copy of which said declaration and notice was made and sent to the sheriff of the County aforesaid thereon endorsed to be served on the defendant tenant in possession or set upon the premises at least eight days before Court - At which mentioned fourth Monday of April being the twenty seventh day of the same month in the year of our Lord one thousand eight hundred and thirty five, and the day of the return of the service of the aforegoing declaration in ejectment comes into the County Court here the said Godfrey Goodtitle lessee of the said Richard W. Isaac and wife by his attornies aforesaid, and the sheriff of the County aforesaid to wit, Thomas Baldwin gentleman to whom a copy of the said declaration in ejectment and notice as aforesaid was in form aforesaid made and sent, certifies his service thereof to the Court here in form following to wit: Service in time, - Thos. Baldwin, Shff. Whereupon the said Godfrey Goodtitle lessee as aforesaid by his attornies aforesaid prays that the said Nicholas Notitle, the defendant the said Caleb Clarke the tenant in possession of the said premises, or those under whom he claims to the declaration aforesaid may appear. And thereupon the said Caleb Clarke by C. C. Magruder, Esquire his attorney in pursuance of the notice aforesaid comes into Court here. Whereupon it is ruled by the Court here with the consent of the said Godfrey Goodtitle lessee as aforesaid by his attornies aforesaid and the said Caleb Clarke, who claims the title in question by his attorney aforesaid that the said Caleb Clarke be admitted defendant in the place of the now defendant Nicholas Notitle the casual ejector and that he immediately receive a declaration and plead thereto the general issue and at the trial thereon to be had the said Caleb Clarke shall appear in his proper person or by his attorney or counsel and confess the lease entry and actual ouster and expulsion of so much of the tenements in the declaration of the said Godfrey Goodtitle, lessee as aforesaid as is in the possession of the said Caleb Clarke or his tenants or of any other person claiming by or under his title or in default thereof that judgment be entered against the now defendant Nicholas Notitle, the casual ejector but that prosecution be staid against him until he makes default in any of the premises; and it is further ruled by the Court here, with consent of counsel that if by reason of such default the said Godfrey Goodtitle, lessee as aforesaid should become non suit, at the trial the said Caleb Clarke shall take no advantage thereof but shall pay to the said Godfrey Goodtitle lessee as aforesaid his costs &c. and it is further ruled by the Court here that if upon the trial of the said issue a verdict shall be given for the said Caleb Clarke or if the said Godfrey Goodtitle, lessee as aforesaid shall not prosecute his declaration upon any other cause than for the not confessing lease entry and ouster as aforesaid then the said Richard W. Isaac and Eliza his wife lessors of the said Godfrey Goodtitle shall pay costs &c. And the said Caleb Clarke by his attorney aforesaid says he is not guilty of the trespass and ejectment aforesaid in the declaration aforesaid mentioned as the said Godfrey Goodtitle lessee as aforesaid above complains against him, and takes defence according to his pretensions as they shall appear to be laid down on the return of a warrant of resurvey to be issued in this cause and thereupon on motion of the said Caleb Clarke by his attorney aforesaid it is ordered by the Court here that the writ of the State of Maryland of warrant of resurvey issue in this cause, and the same accordingly issues directed to the sheriff and surveyor of the County aforesaid in form following to wit:

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Prince George's County Sct. The State of Maryland to the sheriff and surveyor of Prince George's County greeting. - Whereas at a County Court begun and held at Upper Marlborough Town in and for said County on the fourth Monday of April in the year of our Lord one thousand eight hundred and thirty five it was so far proceeded in a certain plea of trespass in ejectment in the said Court depending between a certain Godfrey Goodtitle lessee of Richard W. Isaac and Eliza his wife plaintiffs and a certain Nicholas Notitle Caleb Clarke defendant that it was considered absolutely necessary for the better information of the said Court and Jury in the truth of the premises that all that tract or parcel of plantable land called Burgesses Delight Clarkes Fancy and Hickory Thicket lying and being in the County aforesaid be carefully resurveyed, and laid out according to the ancient metes and bounds as in the original certificate of survey thereof is expressed to the end that the said lands in controversy and the claims and pretences of both parties may more plainly and indifferently appear to to the Court and Jury; Therefore you the said Surveyor in the presence of you the said Sheriff are hereby commanded carefully to resurvey and lay out as well the said lands in dispute as any other land adjacent thereto which shall be thought necessary by the said plaintiff or defendant to be laid out, for the better illustration of the matter according to the claims and pretensions of the plaintiff in the presence of the defendant if he being summoned think fit to be present and without any interruption of him the said defendant, or if absent notice to be left at his place of residence or last place of abode; and likewise to survey and lay out the same lands in dispute as aforesaid according to the claims and pretensions of the defendant in the presence of the plaintiff if he being summoned think fit to be present without any interruption of him the said plaintiff or if absent notice to be left at his place of residence or last place of abode; and you the said sheriff are hereby empowered to examine upon oath any witness or witnesses that by either of the said parties shall be produced in relation to the same; and you the said sheriff are hereby ordered to give both the said parties thirty days notice before the day of the execution of this writ; and you the said surveyor are hereby commanded to return five fair certificates and plots therefor drawing the pretences of the plaintiff in black lines, and the pretences of the defendant in pricked lines as well under the hand and seal of you the said sheriff as the hand and seal of you the said surveyor to the said County Court to be held at Upper Marlborough Town in said County on the third Monday of November next that the said Court and jury being rightfully informed of the truth of the premises may further proceed therein as to Justice appertain and so forth. Witness the Honorable John Stephen Dulaney Judge of the first Judicial District the 15th day of July Anno Domini 1835 - Issued the day of August Anno Domini 1835. - Aquila Beall, Clk."

And thereupon the same day is given to the parties aforesaid then and there &c. At which mentioned third Monday of November being the sixteenth day of the same month in the year of our Lord one thousand eight hundred and thirty five and the day of the return of the aforegoing warrant of resurvey, comes into the County Court here, as well the said parties by their attornies aforesaid, and the sheriff and surveyor of the County aforesaid to whom the said warrant of resurvey was in form aforesaid directed, make return thereof to the Court here with five plots and certificates thereto annexed with the